

# **EXHIBIT A**

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1           2.     Plaintiff, Hemil Sheth ("Plaintiff"), is a natural person residing in ORANGE  
2 County in the state of California, and is a "consumer" as defined by the FDCPA, 15 U.S.C.  
3 §1692a(3) and is a "debtor" as defined by Cal Civ Code §1788.2(h).

4  
5           3.     At all relevant times herein, Defendant, I.Q. Data International, Inc.  
6 ("Defendant"), was a company engaged, by use of the mails and telephone, in the business of  
7 collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692a(5),  
8 and a "consumer debt," as defined by Cal Civ Code §1788.2(f). Defendant regularly attempts  
9 to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the  
10 FDCPA, 15 U.S.C. §1692a(6), and RFDCPA, Cal Civ Code §1788.2(c).

### 11                               III. FACTUAL ALLEGATIONS

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13           4.     At various and multiple times prior to the filing of the instant complaint,  
14 including within the one year preceding the filing of this complaint, Defendant contacted  
15 Plaintiff in an attempt to collect an alleged outstanding debt.

16  
17           5.     On or about April of 2015, Defendant began contacting Plaintiff regarding on  
18 alleged debt owed. Defendant was attempting to collect from Plaintiff an alleged debt that  
19 Plaintiff had already paid to Fair Collections & Outsourcing, Inc. Plaintiff is in possession of  
20 the letter wherein Fair Collection & Outsourcing, Inc. released Plaintiff from any and all  
21 obligation to further pay on the account #3727366. The aforementioned letter reads, in  
22 pertinent part:

23  
24           **This office accepted a settlement for \$77.00 on your account. Therefore, this**  
25           **account has been closed in our office as settled. If any credit bureau notified of**  
26           **this account they will be advised to update the account as settled.**  
27  
28

1           6. By taking the aforementioned action, Defendant is attempting to collect an  
2 alleged debt that Plaintiff does not owe. Defendant has also falsely represented the status and  
3 character of the alleged debt owed. Such actions are prohibited by California and federal law.  
4

5           7. On June 1, 2015, Plaintiff's counsel sent a notice of representation to Defendant.

6           8. DEFENDANT'S conduct violated the RFDCPA and FDCPA in multiple ways,  
7 including but not limited to:

- 8           a) Falsely representing the character, amount, or legal status of Plaintiff's debt (§  
9 1692e(2)(A));
- 10           b) Communicating or threatening to communicate credit information which is  
11 known or which should be known to be false (§ 1692e(8));
- 12           c) Using false representations and deceptive practices in connection with collection  
13 of an alleged debt from Plaintiff (§ 1692e(10));
- 14           d) Using unfair or unconscionable means against Plaintiff in connection with an  
15 attempt to collect a debt (§ 1692f);
- 16           e) Collecting an amount from Plaintiff that is not expressly authorized by the  
17 agreement creating the debt (§ 1692f(1)); and
- 18           f) Collecting an amount from Plaintiff that is not permitted by law (§ 1692f(1)).

19           9. As a result of the above violations of the FDCPA and RFDCPA, Plaintiff  
20 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,  
21 embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for  
22 Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

23                   **COUNT I: VIOLATION OF ROSENTHAL**  
24                   **FAIR DEBT COLLECTION PRACTICES ACT**

25           10. PLAINTIFF reincorporates by reference all of the preceding paragraphs.

26           11. To the extent that DEFENDANT'S actions, counted above, violated the  
27 RFDCPA, those actions were done knowingly and willfully  
28

**PRAYER FOR RELIEF**

WHEREFORE, PLAINTIFF respectfully prays that judgment be entered against  
DEFENDANT for the following:

- A. Actual damages;
- B. Statutory damages for willful and negligent violations;
- C. Costs and reasonable attorney's fees,
- D. For such other and further relief as may be just and proper.

**COUNT II: VIOLATION OF FAIR DEBT  
COLLECTION PRACTICES ACT**

12. PLAINTIFF reincorporates by reference all of the preceding paragraphs.

**PRAYER FOR RELIEF**

WHEREFORE, PLAINTIFF respectfully prays that judgment be entered against  
DEFENDANT for the following:

- A. Actual damages;
- B. Statutory damages;
- C. Costs and reasonable attorney's fees; and,
- D. For such other and further relief as may be just and proper.

**PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

Respectfully submitted this 29<sup>th</sup> day of February, 2016.

By: \_\_\_\_\_

Todd M. Friedman, Esq.  
Law Offices of Todd M. Friedman, P.C.  
Attorney for Plaintiff